We create opportunities for independence for people with disabilities through research, education, and consultation

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Preventing and Responding to Sexual Violence and Sexual Harassment in CILs

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Evaluation Survey & Presenter Contact Information

Your feedback on this webinar is important to us. At the end of the presentation you will have the opportunity to complete a brief evaluation survey.

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You Will Learn…

- The definition of sexual violence and harassment and the key federal laws related to these topics.

- Conduct and behaviors that may be indicators.

- That sexual violence often involves the misuse of authority by persons in positions of power.

You Will Learn, cont'd....

- Steps to create a culture that supports victims of violence and that prevents or addresses harassment.

- The role of effective policies, procedures, and education for center staff to create a safe environment for employees and consumers.

- Ways to support those who have experienced sexual violence and that do so safely.

About the MeToo Movement

- Our journey in the work of sexual violence.

- Taking steps to address sexual assault, rape, and other forms of violence.

- The alarming statistics of rape and sexual assault of people with disabilities.

- Providers who serve individuals with disabilities may not have considered that sexual harassment is actually a form of sexual violence and their consumers may be experiencing it at school or work.

- So...what should CILs know and how should CILs respond?

Prevalence and Risk Factors of Sexual Violence with Persons with Disabilities

- **Prevalence:**
  - What the numbers say and don't say
  - Barriers to reporting

- **Risk Factors**:
  - It is not the specific disability that creates the risk, but the situation that the person with the disability is in that creates the risk.
  - How other risk factors play a role in the prevalence.

Sexual Violence

- The term "**sexual violence**" is an all-encompassing, non-legal term that refers to crimes like sexual assault, rape, sexual harassment, and sexual abuse.

- Please note that the legal **definition** of crimes varies from state to state.

- https://www.rainn.org/types-sexual-violence

Sexual Harassment

In employment settings, it has been defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct that enters into employment decisions or conduct that unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment."

- Ranges from degrading remarks, gestures, and jokes to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way.

- https://www.nij.gov/topics/crime/rape-sexual-violence/Pages/welcome.aspx

Sexual Harassment—Two Forms

- Definition of Sexual Harassment
    - *Quid pro quo* and
    - *Hostile Environment*

Know the Laws

- Sexual harassment is a form of sex discrimination that violates *Title VII of the Civil Rights Act of 1964*. It is investigated by the EEOC.

- *Title IX of the Education Amendment of 1972.* This amendment prohibits sexual harassment only in the following settings:

  - Schools; and

  - Colleges.

- State laws primarily define what is considered rape, sexual assault, and stalking, and may have state-specific laws regarding sexual harassment.

Our Approach—Not a Dilemma

- **There are two ways to approach this.**
  - Safety of the Individual – We are victim advocates.
  - Safety of the Agency – We are also directors.

- **Be clear about your approach.**
  - Safety of the Individual – Believe First – Safety FIRST

- The information provided is for informational purposes and should not be considered legal advice.

Know the Signs – Conduct and Behaviors that may be Indicators

- Sexual harassment often involves the misuse of authority by persons in positions of power.

- Sexual assault or rape is not about sex but about power and control.

- **Indicators**
  – Physical
  – Emotional
  – Behavioral

Let's Look at our "Power as CILs"

- Greater the power, the more dangerous the abuse
- Authority versus Reason
- Role model, teacher, peer
- Employer, Personal Assistance Provider

Reference for More Information: Power Tools: Thoughts about Power and Control in Service to People with Disabilities and Home Safe: Keeping People with Disabilities Safe in Services, by Dave Hingsburger. Both Available from Diverse City Press, https://diverse-city.com/

Let's Look at our CILs' "Environment/Climate"

- Welcoming
- Safety
- Privacy
- Open door policies—small rural communities

Determining If Your Behavior is Harassing

- Your Position of Power: Equal power or Not.

- Does your behavior change when you are alone with the person versus when not alone?

- Ask Yourself: Would I want someone to act this way towards me?

Importance of Written Policies

- Purpose—to create a safe and welcoming environment

- Documentation standards

- Reporting requirements

- Code of Conduct

- Complaint/grievance procedure

- Supporting the person being harassed

- Staff/consumer training

Sexual Harassment and Violence—Employers

- Consider replacing boilerplate policies and one time trainings with a holistic program focused on:
  - Prevention,
  - Support,
  - Respect, and
  - Equity.

Create a Culture that Supports Victims of Violence

- Victims of sexual violence of any form (harassment or rape and sexual assault) need support.

- Encourage them to talk with someone they trust.

- Let them know that you believe them and that it is not their fault.

- Help them consider their options and identify resources—either to stop the harassment and address adverse effects of the harassment on their lives or to get support for other forms of sexual violence.

Reporting Sexual Harassment

- Victims should follow the workplace/school complaint policy, reporting the behavior to the proper authority using the site's written procedures.

- If the harassment continues after a reasonable amount of time following a report, victims may have the right to file a formal complaint. With the U.S. Equal Employment Opportunity Commission (for qualifying workplaces); *or* the Office of Civil Rights, U.S. Department of Education (for schools/colleges receiving federal financial assistance).

- Learn about your state statutes that may apply.

Top Ten Things Employers Can do Right Now

1) Exhibit leadership on this issue.

2) Check in with employees.

3) Have a conversation.

4) Close gaps in gender equity.

5) Create a workplace policy that addresses sexual and domestic violence and sexual harassment, and review it regularly.

Top Ten Things Employers Can do Right Now, cont'd.

6) Re-evaluate the performance review process.

7) Provide training on sexual harassment that is more than a one-time session conducted by lawyers.

8) Cultivate a culture of support and respect.

9) Provide a confidential complaint procedure.

10) Engage everyone in the workplace, including men, and offer bystander intervention training.

https://medium.com/@FuturesWithoutViolence/the-top-10-things-employers-can-do-right-now-to-address-sexual-harassment-in-the-workplace-a02b33f87ffe

Questions & Answers

Resources for More Information

- National Resource Hub for victims, coworkers, employers, and advocates to shift workplace culture from facilitating harassment and silence to promoting support, respect, and equity. This technical assistance provider is funded through a grant from the Office on Violence Against Women. https://www.workplacesrespond.org/technical-assistance/

- These efforts include information about sexual violence and harassment for employers. https://www.workplacesrespond.org/page/harassment-employers/

Final Questions and Evaluation Survey

Any final questions?

Directly following the webinar, you will see a short evaluation survey to complete on your screen. We appreciate your feedback!

http://www.surveygizmo.com/s3/4138425/Webinar-Evaluation-April-25-2018-Sexual-Harassment-Prevention

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